

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

NADIYA WILLIAMS-BOLDWARE

V.

DENTON COUNTY, TEXAS,  
CARY PIEL, SUSAN PIEL, and  
RYAN CALVERT

§  
§  
§  
§  
§  
§

CASE NO. 4:09cv591  
(Judge Schneider/Judge Mazzant)

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 15, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Denton County's Second Motion to Dismiss (Dkt. #22) be granted in part and denied in part and Defendants Cary Piel, Susan Piel, and Ryan Calvert's Second Motion to Dismiss Based on Qualified Immunity (Dkt. #23) be granted in part and denied in part.


The Court, having made a *de novo* review of the objections raised by Denton County, as well as the objections raised by the individual Defendants, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendant Denton County's Second Motion to Dismiss (Dkt. #22) is GRANTED as to Plaintiff's failure to promote, disparate treatment, and retaliation claims, and DENIED as to Plaintiff's hostile work environment claim. Accordingly, Plaintiff's failure to promote, disparate treatment, and retaliation claims against Defendant Denton County are DISMISSED without prejudice.

It is further **ORDERED** that Defendants Cary Piel, Susan Piel, and Ryan Calvert's Second Motion to Dismiss Based on Qualified Immunity (Dkt. #23) is GRANTED as to Plaintiff's hostile work environment claim, and DENIED as to Plaintiff's failure to promote claim, subject to reconsideration after Plaintiff files her Rule 7 reply. Accordingly, Plaintiff's hostile work environment claim against Defendants Cary Piel, Susan Piel, and Ryan Calvert is DISMISSED with prejudice.

**IT IS SO ORDERED.**

**SIGNED this 26th day of July, 2010.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE